

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Meeting

December 13, 1962

7:00 P. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, White, Mayor Palmer

Absent: Councilmen Perry, Shanks

The Mayor announced this was a meeting of the Council with the Boards and Administrators of the hospitals in the City, to discuss the need for a study to determine future health and hospital needs of our community. It is known that population will continue to increase; that city limits will expand; that there are some days when every available hospital bed is filled; that several hospitals have plans for adding more beds; that there is talk of new hospitals in Austin; that all of our individual and separate plans are without the benefit of a coordinated community effort or plan, based on a professional study. All are working for the same objective, but without knowing what the other is doing. It is not known what the collective plans are; who will do what, and when; what the future community needs will be in three, five or seven or nine or twelve years; what the ultimate effect of the Kerr-Mills Bill will be. He stated all of these points clearly indicate the need for a coordinated community cooperation and planning to meet future health and hospital requirements in an efficient, economical manner; and they point further to the fact that the time to start is now, if these kinds of facilities are to be available at the right time, without unnecessary duplication of costly structures, equipment and personnel. He stated that JOHN G. STEINLE & ASSOCIATES made a study of organization, management, procedures and accounting within Brackenridge Hospital. Mr. Steinle urged that this community obtain competent consultant services to develop a long-range master plan for community needs and determine the role of Brackenridge and other hospitals in the meeting of these needs. A steering committee was appointed in September 1960 to lay ground work on which a consultant could begin working. In May, 1962, the Steering Committee reported to the City Council. August, 1962, the Community Council Board agreed to undertake such a study provided that a competent consultant be found to undertake the study; that adequate financing be assured to fulfill the purpose; and that full cooperation be obtained from all local hospitals and the Medical Society.

Present besides the Council, City Manager, and City Attorney were representatives from the following hospitals:

ST. DAVIDS COMMUNITY HOSPITAL - MR. HULAN W. BLACK, President of the Board; MR. E. P. CRAVENS; BEN H. PARRISH; WALTER F. WOODUL; and MR. BOB LLOYD, Administrator.

SETON HOSPITAL - SISTER JUDITH ANN; SISTER LOUISE MARIE, Administrator; MR. BERT MALONEY and MR. PHIL PARKER.

HOLY CROSS HOSPITAL - MR. JIM P. NASH; MR. MIKE BUTLER; REV. VICTOR GOERTZ; MOTHER CANDIDA; SISTER MARY AGNES, Administrator.

BRACKENRIDGE HOSPITAL - REV. JOHN BARCLAY; MR. PAGE KEETON; MR. JOHN SIMPSON; MR. GUY DARSEY; DR. M. D. McCAULEY; MR. ART CRANDALL, Administrator, and MR. HILL, Assistant Administrator.

COMMUNITY COUNCIL - MR. TOM BROWN, MR. HULAN BLACK, MRS. BELL, MR. NOBLE PRENTICE, MR. WALTER F. WOODUL, and DR. VIC EHLERS.

DR. VIC EHLERS, member of the Steering Committee, appointed September 1960, read a list of the areas the Committee had recommended for study, as follows:

"GUIDE FOR AUSTIN HOSPITAL AND HEALTH SURVEY IMMEDIATE AND LONG  
RANGE NEEDS"

"Prepared by the Committee for Planning and Research of Austin Health Needs. The scope of a community survey need not be limited as outlined below since this is only a guide.

"Areas needing intensive research and study:

- "1. What effect will population (age, sex, race, etc.) growth through 1975 have on the various types of hospitals in Austin? The entire study should be based on a minimum projection of 10 years.
- "2. What types of hospital beds should be planned for the future?
  - a) Are rehabilitation facilities adequate for the area?
  - b) Is there a need for Nursing Home facilities that might be used in conjunction with the acute hospitals for convalescent care?
  - c) Should plans be started for relocating T.B. facilities to care for local patients?
  - d) Are the psychiatric, geriatric and chronic disease facilities adequate for the area served by Austin?
- "3. What types of hospital services are now being provided by the four short term general hospitals? How can the community best guard against costly duplication of hospital services and facilities in the four general hospitals?

- "4. What effect will hospital admissions from outside the City and County have on bed utilization in the future?
- "5. What effect will the lack of heavy industry have on hospital bed utilization in the future? What effect will hospitalization insurance have on hospital utilization in the future? What effect has government sponsored programs for the aged had on hospital utilization.
- "6. How can the Out-Patient Departments and the City and County Health and Welfare Agencies (tax supported) best meet community needs?
- "7. How can voluntary health agencies in the community be better coordinated and what relationship should these agencies have with the hospitals in Austin?
- "8. What role and responsibility should the four Austin Hospitals have in Medical Education, Nurses Training and Research?
- "9. Would rehabilitation and/or nursing facilities for the aged, chronic diseased, etc., provided close to a short term general hospital actually reduce the length of stay in short term hospitals?
- "10. How can duplication of responsibility and functions in the care of indigent patients by voluntary and the municipal hospital be clarified?
- "11. Is there unnecessary duplication in caring for indigent patients in Brackenridge and other health clinics in Austin?
- "12. Are the citizens of Austin able to pay for comprehensive medical and health needs? Is the community adequately covered by hospital and health insurance? What effect will this have on hospital utilization?
- "13. What will be the future role of Brackenridge in meeting the health needs of Austin? What services will it be expected to provide? How should it be organized to best meet these needs? What services will other hospitals be expected to provide?

MR. TOM BROWN, Chairman Community Council, urged all present to give serious thought to these questions and send in any comments to Dr. Vic Ehlers. He complimented the Council for realizing the problems, and asking the Community Council to conduct a study of the health and hospital needs. It was suggested that a suitable consultant be employed and that the Community Council appoint a Committee. Mr. Brown stated without the interest of the various hospitals, this project could not proceed. The Community Council agreed to undertake a study if it could be assured (1) that a consultant could be found to make the study; (2) that adequate finances could be assured, and (3) that full cooperation could be obtained from all the hospitals. He said 53 letters had been sent out to qualified consultants, and four consultants had been interviewed. The study will take four to six months at a cost of \$25,000 to \$30,000. Full cooperation from all of the hospitals must be obtained.

DR. JOHN BARKLEY stated after investigating what aid might be available, the Steering Committee had found there was no help to be expected from the Federal Health Services and State Public Health Service, and there were no funds for study for a local situation. MR. HULON BLACK, St. Davids Hospital, stated it would be very unlikely that any outside funds would come in for studying a community problem such as Austin's.

MAYOR PALMER said there was pressure being put on the city to have additional facilities, and to put in other types of operations, and he would be reluctant to launch out on any type of expansion without some type of study and without the hospital picture in Austin. He asked the Boards if they had plans for enlarging their hospitals, and if they felt that a study would be beneficial to them before venturing out on any type of program.

MR. JAMES NASH, Holy Cross Hospital, stated it was making plans to increase the size of the hospital by at least 60 beds and more if possible--possibly 80. They had a Hill Burton grant and Mr. Phillips from the Hill-Burton people had recommended that Holy Cross increase the size of the hospital. It has no outside funds, and must make the hospital pay. Holy Cross does not have any contribution to make, and Mr. Nash suggested that the City bear the cost of the survey.

MR. HULON BLACK said St. Davids had tried to stay ahead of its demands, but it had no income except patient pay. It had no immediate plans for expansion, but the matter was before the Board. The Mayor asked if he thought there was a need for this study before they did start expanding, and Mr. Black stated it would be advantageous to every health service, trustee of hospitals, and members of the Community Council. For the kind of survey being asked he, speaking for St. Davids Board, said St. Davids would cooperate. He stated St. Davids would add one or two more floors eventually, as they had elevators, and facilities already so that when they expanded, it could be done at a minimum cost.

MR. BERT MALONEY stated Seton had no funds to aid in a survey, but they felt very definitely a survey would be contributory. He said Seton had 152 beds, and would be happy to consider expansion if figures proved their point.

DR. BARKLEY stated the first question was that everyone would be willing to thoroughly cooperate with one another. The Mayor asked if all agreed that the endeavor was the same. Dr. Barkley stated if all were here for the single purpose to meet the health needs of the City, then all could think in terms of specialties--saying Holy Cross take one specialty, Seton take one, etc.

Discussed were the varying needs--geriatrics--nursing homes--and custodial homes, and the type of care outside of acute hospital care. Mr. John Simpson suggested special attention be given to matters of special expensive equipment, so there would be no duplications. Mr. Nobel Prentice discussed the use of the hospital rooms in line with "medicare". The City Attorney inquired if there was a clearing house among the administrators or some system of mutual exchange of information. Mr. Crandall, Administrator of Brackenridge Hospital, mentioned the Austin Area Hospital Council, an affiliate of the State Hospital Association, which meets monthly, and exchanges ideas, and there has been close cooperation.

DR. M. D. McCAULEY stated the three private hospitals which are tax exempt do not accept any of the gray part; that the City Hospital absorbs those patients that can pay just a small amount, and takes the rejections from other hospitals. He stated under the Kerr-Mills Bills, Brackenridge is faced with a

very serious problem, citing for example, that for a number of years, the State Hospital has been used partly as a home for the aged, and it has placed about 500 patients in rest homes. As these patients become acutely ill, they are taken into the State Hospital where they are cared for. There is a possibility these patients will be discharged; and when they are, the State will have no responsibility. The hospital care of former patients would then become the problem of the City. He stated while the community is getting behind in hospital beds, there is a need for planning for expansion; and it will take two or three years before expansion could be realized. He said there was a great need for cooperation and there should be a determination to know the needs rather than stumbling around building a little here and a little there. This could be a survey from which much benefit could be obtained. MR. PRENTICE stated the survey would be ultimately of greater benefit to the City than any other hospital, and it seems there is a lack of funds for such a survey. The hospitals that exist upon their income or donations do not have any funds to donate to something else. He said the survey should be for the City and the other hospitals, and should be made before this proposed new hospital is fully planned. MR. WOODUL, who is on the State Hospital Board, explained the policy of the State Hospital as pertained to patients mentioned by Dr. McCauley. He said if too many hospital beds are built, there would be many empty ones; and it takes an expert to project for 10 years. The old age and rest home business is something on the side. It was his opinion that a survey must be made.

FATHER GOERTZ, Holy Cross Hospital, inquired about the manner in which a consultant would be selected. MR. TOM BROWN outlined the way this had been handled. DR. VIC EHLERS stated names of consultants were obtained from the Texas Hospital Association, the American Hospital Association and Texas Medical Center in Houston.

MR. ED CRAVENS, St. Davids Hospital, stated that a survey definitely was needed, and the only way to get this money is from the City, and he said it would be money well spent.

A SISTER at Seton Hospital stated they were considering closing the pediatric and obstetrical departments. Instead, they could use more medical and surgical beds at Seton. Another SISTER at Seton expressed concern over the nursing school because of the low enrollment. A SISTER at Holy Cross said this Hospital had a drop in pediatrics also. She said it is an age of specializing, and the community planning should be pointed toward specializing.

The CITY MANAGER stated this survey would give information as to the future needs. If information is obtained as to what the needs will be, that would be fine, and some of them could be developed. When a study has been made it would have to be continuously reviewed. The groups of Hospital Boards in Austin would periodically review the plan to see if the things were taking place as anticipated or if they were moving more rapidly or more slowly than anticipated. He said it would be necessary to have not only cooperation from all of the hospitals in the study, but in reviewing it from time to time in the future.

MR. BOB LLOYD stated if a thousand beds were needed, and enough money to build 1000 were available, there would be no point of housing 1000 patients and having nursing care for only 500 of them. MR. MALONEY stated Seton was checking into the nursing school situation and it will do everything possible in recruitment.

MR. PAGE KEETON, Brackenridge Hospital, stated the survey is absolutely essential; and regardless of who does the survey or how efficiently it can be

done, it will not provide the answer. It would give the needs, the kind and number of hospital beds, etc., but the harder task would be the Hospitals' getting together and deciding which hospital will do which task.

The MAYOR stated the Council would like to know where Brackenridge Hospital fits into the overall picture, what phases the private hospitals would consider, what expansion is considered, and how much would fall on the City to provide. Before venturing out on some expansion, he said he thought it would be wise to spend the money for a survey, as it would not be wise for the City to go into an expansion program without some type of information concerning hospital needs of the Community and just what the public wants the city to provide. He said if the survey were made, all of the hospitals should recognize it would be just as much theirs as any one elses.

MR. PRENTICE defended the cost of the survey. Discussion of financing the survey was held. Ideas submitted were a plan of sharing the cost on a per room basis or trying to get funds from some Foundation. It was brought out that Holy Cross had already planned an expansion and evidently they had information and studies that there was a need for expansion there. MR. NASH stated they did not have a scientific study but the Board Members went at it from a standpoint of whether it was a paying proposition or not; he thought the survey was a good thing but did not know if Holy Cross would feel like participating in it or not. Expansion of Holy Cross was discussed.

COUNCILMAN ARMSTRONG stated he was not permitted to make a request to the Ford Foundation for this survey but this did not prevent any organization or group from making a request to the Ford Foundation and it was not impossible that some funds could be gotten for this survey. Several thought the Foundation would not help with this survey as they generally held that local government should solve their own problems. COUNCILMAN ARMSTRONG asked if there was a shortage of nurses. It was stated by a SISTER that there was an acute shortage of qualified nurses here and in the South; and it was hard to attract young women to the nursing profession. MR. WOODUL stated that Texas has about one half the average of the U. S. of Graduate Nurses. COUNCILMAN ARMSTRONG stated he was convinced that it will take a real expert and survey to do this job.

MAYOR PALMER asked the Chairmen of the Boards if they would like to recommend to their Boards that the City stand this cost or if they would consider an apportionment of the cost. MR. BLACK stated he personally, and not speaking for St. Davids' Board, thought the City should pay for the survey but if the Council asked him to he would bring this before the Board.

MR. NASH, Chairman of the Board for Holy Cross, stated he thought it would be very well for this survey to be made by the City, but he did not think Holy Cross could afford to pay on it. He said with things changing as fast as they are, the person hired to do the survey should be put on a retainer to come back every year.

MR. MALONEY, Chairman of the Board for Seton, stated if it was desired they would give a reply in writing on their desire for the survey, with or without any compensation coming from Seton. The Mayor said he thought that would be very helpful, and he asked all the Chairmen of the Boards if they would do that also.

MR. ESKEW, City Attorney, stated it could be that the survey would be of benefit to the hospitals as well as to the community as a whole, and it might not be a question of one organization's doing it all; and there may be some apportionment due based on private benefits that would accrue to the various organizations as well as the benefit to the community. He stated Brackenridge, Holy Cross, Seton and St. Davids were in a sense private entities and in order for the survey to be as beneficial as it could be, they would have to inventory the internal needs of the individual organization. The result of the survey would be of particular benefit to the organizations, as well as the community as a whole.

MAYOR PALMER said he thought everyone had indicated the necessity of a survey which would show what is needed and what gaps should be filled as well as information that will be a guide.

MR. TOM BROWN, Community Council, stated he thought they could get the study under way in 30 to 60 days after the Action Committee had been formed and the Counsultant had been selected by the Council.

The Mayor thanked the members of the Community Council for taking this very improtant job. He stated they had spent many, many hours and a lot of meetings on this, and the Council appreciated it.

MR. NASH stated if the City does advance the money, he thought it should be made as a contribution to the Community Council rather than for the hiring of experts to do this work, and it should be a Community Council affair rather than a City affair. The Mayor said he thought the City could hire for services but could not make an out and out contribution. He said he thought everyone should recognize that this is a community effort, and he did not want anyone to think that this was strictly a City function or that it originated primarily as a City meeting. He did want to know where the City fits into the overall hospital and public health needs in the community, and he always wanted it to be known as a community venture rather than something that was even sponsored by the City or brought up by the City. That was why he would like to have letters from the Chairmen of the different Boards, so that it would be recognized as a community problem and not strictly a City problem.

MR. ESKEW explained the City could not make a contribution to the Community Council or to anybody else. It could employ the Community Council and if the Community Council were willing to contract for the performing of the service, they could employ their own consultants and their own specialist.

The Mayor expressed appreciation to the group for coming down, and he stated he thought it was something that should be moved out on. MR. BLACK, speaking for the group, said they were indebted to the Council for the very fine leadership which the City is offering in this matter and for its fine cooperation on this vital city-wide, community-wide problem.

There being no further business the Council adjourned at 9:30 P.M. subject to the call of the Mayor.

APPROVED \_\_\_\_\_

ATTEST:

Mayor

\_\_\_\_\_  
City Clerk

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 20, 1962

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Absent: None

Present also: W. T. Williams, Jr., City Attorney; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Barent Rosen, Acting Chief of Police

Invocation was delivered by REV. ELMER J. HIERHOLZER, District Superintendent, Methodist Church.

Councilman Perry introduced MR. DON PEARSON as the one who rendered very capable and timely assistance to one of the Police officers, MR. DAN CERVENKA, who had more than his share in trying to enforce the law last week. Councilman Perry wanted to thank Mr. Pearson who was instrumental in saving Mr. Cervenka's life and prohibiting considerable harm from coming to him as he was trying to apprehend a lawbreaker. He said there had been other occasions where police officers had been assaulted, and several people would be standing around offering no assistance. He pointed out the police officers are protecting the citizens at the risk of their own lives. He thanked Mr. Pearson on behalf of the Council and citizens for rendering assistance to Officer Cervenka and doing what every good citizen should do. Councilman Perry commended three others who likewise assisted: MR. VERNON GROVES, MR. LANDIS SMITH, and MR. BOB MOORE.

MR. W. LINGO representing the plumbers and pipe fitters of Austin and the local Union, along with Mr. Chester Pittsford and Mr. Buster Farrow, expressed opposition to the Council's passing an ordinance approving the use of neoprene gaskets because this type of joint could be used by do-it-yourself people, by bootleg plumbers, and the joint itself is not desirable. He protested the fact that the contractors had not been notified this was coming up so they could present evidence that it was not the right thing to be approved. Mr. Pittsford stated this would be one of the cheapest plumbing jobs that is known. Mr. Farrow asked the Council to appoint a committee to draw a new ordinance and include all the amendments in one packet. The Building Inspector explained this



neoprene gasket and said it had been tested by the Trinity Testing Laboratories; and that mechanical engineers and master plumbers had said this was equal to the others. He stated the Plumbing Appeals Board had recommended also that a committee be appointed to study a new plumbing ordinance; and when that study is made, a recommendation will be made to the City Manager. When he presents it to the Council, the Council would no doubt call public hearings. The Mayor expressed appreciation for the group's interest and stated when the ordinance is restudied there would be public hearings.

Councilman White moved that the Minutes of the Meeting of December 13, 1962, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 11.60 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Lanier Terrace, Section 2)

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 12.16 ACRES OF LAND OUT OF THE JOHN APPELGAIT SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (North Lamar Park, Section 2)

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 18.30 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE S. Q. WHATLEY SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Windsor Park Hills, Section 3)

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 14.74 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES TRAMMEL SURVEY NO. 4, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Western Trails, Section 7)

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF

0.748 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF LOT 1, T. J. McELHENNEY SUBDIVISION, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Southwestern Bell Telephone Company Tract)

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 54.66 ACRES OF LAND OUT OF THE WILLIAM WILKS SURVEY NO. 29, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN IN PARTICULARS STATED IN THE ORDINANCE. (University Hills, Sec. 2, Phase 3 and 4)

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 48.21 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Richland Estates Section 1 and Section 2, Phase 1)

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 5.06 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 20.97 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ELDREDGE SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Pecan Springs School and a church)

The ordinance was read the second time and Councilman White moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum reasonable and safe speed for the operation of vehicles at the following location is less than thirty

miles per hour on school days during the hours 7:30 A.M. to 4:30 P.M. when pedestrians are present; and,

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles is twenty (20) miles per hour on such days and during such hours at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Koenig Lane	Link Avenue	150 Feet west of Guadalupe Street

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager reported in addition, flashing warning signals were being installed, and he believed this plus the 20 mile speed limit would take care of the matter.

Councilman Armstrong asked for a study for placing a stop light at 8th and Nueces. The request was referred to the City Manager.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in ADINA STREET, from Baker Street southerly 390.5 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said ADINA STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (2) A gas main in BANDERA ROAD, from a point 84.5 feet east of Rhodes Road easterly 134.5 feet; the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BANDERA ROAD.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (3) A gas main in RABB ROAD, from Robert E. Lee Road westerly 192.0 feet; the centerline of which gas main shall be 9.0 feet east of and parallel to the west property line of said RABB ROAD.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (4) A gas main in GOODWIN AVENUE, from Webberville Road easterly 932.0 feet; the centerline of which gas main shall be 5.5 feet north of and parallel to the south property line of said GOODWIN AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (5) A gas main in EAST 16TH STREET, from a point 97 feet east of Chestnut Avenue easterly 87.0 feet; the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 16TH STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (6) A gas main in MONTOPOLIS DRIVE, from Del Monte Road to U. S. Highway #183 (Bastrop Highway); the centerline of which gas main shall be 6.0 feet east of and parallel to the west property line of said MONTOPOLIS DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (7) A gas main in SAN GABRIEL STREET, from West 22nd Street to West 24th Street; the centerline of which gas main shall be 13.0 feet west of and parallel to the east property line of said SAN GABRIEL STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (8) A gas main in SANTA ANA STREET, from Nichols Avenue easterly 16.0 feet; the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said SANTA ANA STREET.

Said gas main described above shall have a cover of not less than 2½ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Perry, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Clyde Smith as described in the Travis County Deed Records and known as Lakeshore Addition on the shore of Lake Austin, and hereby authorizes the said Clyde Smith to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Clyde Smith has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
December 19, 1962

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Clyde Smith, owner of property abutting on that part of Lake Austin lying up-stream from the westerly extension of the south line of Windsor Road, the same being ten (10) feet south of the north property line of lot 95, Lakeshore Addition, as recorded in the Travis County Deed Records; for permission to construct and maintain a boat dock projecting out into the lake approximately twenty-five feet (25') beyond the normal high water level. The construction details meeting all requirements, I recommend that if Clyde Smith is granted his request by the City Council, that it be subject to the following conditions.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,  
s/ Dick T. Jordan  
Building Official"

The motion, seconded by Councilman Perry, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING TO PUBLIC TRAVEL 129 SQUARE FEET OF LAND, SAME BEING OUT OF AND A PART OF THAT CERTAIN STREET KNOWN AS ROBERT E. LEE ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.



The ordinance was read the first time and Councilman Perry moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman Perry moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the third time and Councilman Perry moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"December 14, 1962

"W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M. Friday, December 14, 1962, at the Office of the Director of the Water and Sewer Department for the Installation of 24" and 30" WATER MAIN, U.S. HIGHWAY 183, FROM FAIRFIELD DRIVE TO BURNET ROAD. The bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
Austin Engineering Company	\$ 94,842.70	60
Ford-Wagner, Incorporated	96,087.70	60
Walter Schmidt	98,718.05	65
Bland Construction Company	101,158.45	100
J. R. Barnes Construction Company	104,262.08	100
Glade Construction Company	125,489.00	75
City of Austin (estimate)	100,266.00	90

"It is recommended that the contract be awarded to Austin Engineering Company on their low bid of \$94,842.70 with 60 working days.

"Yours truly,  
s/ Victor R. Schmidt, Jr., Superintendent  
Sanitary Sewer Division  
s/ Albert R. Davis, Director  
Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 14, 1962, for the installation of 24" and 30" Water Main, U. S. Highway 183, from Fairfield Drive to Burnet Road; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$94,842.70 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of the Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin Engineering Company in the sum of \$94,842.70 be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin be and he is hereby authorized to execute a contract on behalf of the City with Austin Engineering Company.

The motion, seconded by Councilman Perry, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager submitted the following:

"December 18, 1962

"W. T. Williams, Jr., City Manager      Assessment Paving Contract No. 62-A-21

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, December 18, 1962, for the construction of approximately thirty-eight (38) blocks of pavement and accessories known as Assessment Paving Contract Number 62-A-21, consisting of 19 units.

"J. W. Steelman, Inc.	\$ 89,744.44
Lee Maners	91,982.47
Giesen & Latson Construction Company	94,018.65
R. B. Bowden Construction Company	101,111.96
City's Estimate	\$ 96,510.45

"I recommend that J. W. Steelman, Inc. with their low bid of \$89,744.44 be awarded the contract for this project.

"S. Reuben Rountree, Jr.  
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 18, 1962 for the construction of approximately thirty-eight (38) blocks of pavement and accessories known as Assessment Paving Contract Number 62-A-21, consisting of 19 units; and,

WHEREAS, the bid of J. W. Steelman, Inc., in the sum of \$89,744.44, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of J. W. Steelman, Inc., in the sum of \$89,744.44, be, and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with said J. W. Steelman, Inc.

The motion, seconded by Councilman Perry, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager submitted the following:

"December 18, 1962

"TO: Mr. W. T. Williams, Jr.  
City Manager

FROM: Brackenridge Hospital

SUBJECT: Bid #B-6229

"Bid #B-6229 is for furnishing milk and cream to Brackenridge Hospital and Austin-Travis County T. B. Hospital for a period of six months or twelve months, beginning January 1, 1963.

"The prices bid on the last award are shown on the tabulation.

"The firms sent bids were:

Carnation Company	5700 Airport Blvd.
Oak Farms Dairies	901 Red River
Pure Milk Company	1135 Gunter Street
Superior Dairies	600 East 1st Street

"These are all the known wholesale dairies. Pure Milk Company did not return a bid.

"A. V. Crandall, Administrator  
Brackenridge Hospital"

"Sealed Bids opened 10:00 am, December 17, 1962  
Tabulated by: W. C. Moffett, Jr.  
Brackenridge Hospital  
Purchasing Agent

"City of Austin Bids for Contract to Furnish Milk and Cream To Brackenridge Hospital and Austin-Travis County T.B. Hospital Beginning January 1, 1963.

	6 Months Contract	12 Months Contract	Total low bid Taken July 1, 1962
Oak Farms Dairies	\$ 9,134.80	\$18,269.60	\$9,862.00 (6 mo.)
Carnation Company	\$ 9,769.25	\$20,319.50	(Accepted six months bid)
Superior Dairies	\$13,780.75	\$27,561.50	

"NOTE: Estimated quantities for 6 months contract are doubled to arrive at totals for 12 months. All wholesale dairies in Austin area sent invitation to bid. Three (3) bids received. Prices shown are net totals.

"Recommend contract with low bidder, Oak Farms Dairies, for 12 months contract.

"W. T. Williams, Jr. City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 17, 1962 for the furnishing of milk and cream to Brackenridge Hospital and Austin-Travis County T. B. Hospital for a period of twelve months; and,

WHEREAS, the bid of Oak Farms Dairies, in the sum of \$18,269.60, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of Brackenridge Hospital, and by the City Manager; Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Oak Farms Dairies, in the sum of \$18,269.60, be, and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with said Oak Farms Dairies.

The motion, seconded by Councilman Perry, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager submitted the following:

"CITY OF AUSTIN TABULATION OF BIDS FOR FURNISHING AND INSTALLING ONE ELECTRIC PASSENGER ELEVATOR FOR MUNICIPAL BUILDING (To Replace Elevator in Center of Building)

	<u>"HUNTER-HAYES ELEVATOR CO.</u>	<u>B. F. JOHNSON ELEVATOR CO.</u>
"For Elevator Completely Installed as Specified	\$14,896.00	\$12,000.00
Calendar Days for Shipment of All Equipment	126	80
Calendar Days for Installation After Receipt of All Equipment	50	70

"Bids Received 2:00 p.m., December 18, 1962."

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 18, 1962 for furnishing and installing one electric passenger elevator for Municipal Building (to replace elevator in center of building); and,

WHEREAS, the bid of B. F. Johnson Elevator Co. in the sum of \$12,000.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of B. F. Johnson Elevator Co. in the sum of \$12,000.00 be, and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with B. F. Johnson Elevator Co.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer  
Noes: Councilman Armstrong

Councilman Armstrong voting against the motion stating in considering that much money for that many square feet, he did not think the City was getting its money's worth for that little tiny elevator.

The Mayor brought up the following zoning application deferred from last week:

MRS. MARY FREEMAN	1000-1008 West Lynn Street	From "C" Commercial
By Arthur E. Pihlgren	1600-1608 West 10th Street	To "C-1" Commercial
		RECOMMENDED by the Planning Commission

Councilman Armstrong inquired about the widening of West 10th Street. Mr. Pihlgren stated if they ever had to give five feet, they would. Councilman White moved subject to Mr. Pihlgren's supplying that letter, that the change

be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer  
Noes: Councilman Perry

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

Councilman Armstrong reported he had received a transcript of the questions and answers in the meeting which he attended in Detroit, and he was filing it for reference and use. He said the Highway Department had requested a copy of this transcript and had reproduced it and were using it throughout the whole State Highway System. The Mayor asked that this be kept available to review after January 3rd. He said Austin was trying to stay ahead of these traffic problems, and was ahead of other cities. The transcript was filed with the Assistant City Manager.

Councilman White asked if the Council members had read the specifications on the light poles. The Mayor suggested that this be brought up again on January 10th.

Councilman Perry asked the procedure for a citizen who wanted to take water from the town lake for use in one of his condensers for a new apartment development. It was stated the first thing would be the obtaining of a permit from the State; and the Council would have an interest since the lake was the City's water storage.

The City Manager stated old Christmas trees create quite a fire hazard, and the Fire Marshal has designated some areas where people could take their abandoned Christmas trees, and the City would take care of them from there. Those locations are:

4500 block of Airport Boulevard  
19th and Lamar  
South bank of the Lake

He stated proper signs would be erected. Councilman Shanks moved that these areas be designated and pinpointed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager asked the Building Inspector to make a report regarding the South Shore Apartments. The Building Inspector displayed a drawing of the Apartments, and read the recommendation of the Town Lake Committee "that the Committee approve the South Shore Apartment project on the Giles Tract located on Riverside Drive according to plans and elevations submitted, assuming property is elevated above ICRA flood plane level of 445 feet; and that the owner

shall landscape and beautify lake frontage and eliminate permanent parking on lake front side. Any improvements, present or future, on the above lake shore property shall be submitted to the Committee for approval." The City Manager called attention to the fact a 48" sewer line would have to cross this tract. Councilman White moved that the Building Inspector be authorized to issue a permit for this construction contingent upon the necessary right-of-way, necessary sewer easements and overflow easements being provided. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor brought up the following zoning application for public hearing:

LEILA PARKINSON  
By Robert Sneed

1109-1305 So. Inter-  
regional Highway

From "A" Residence  
To "LR" Local Retail  
NOT Recommended by the  
Planning Commission

MR. SNEED represented the applicant, pointing out the tract had been divided by the Interregional Highway and describing the property under consideration. He stated it would have to be cut to grade before it could be used for anything. He stated the Planning Commission had recommended against the zoning change because the land did not lend itself to this type of use because of the shallow depth. The Commission considered the desire of the staff to preserve the most beautiful view of the city along the entrance of the South Interregional Highway. Mrs. Parkinson has a contract for the purchase of this tract which she proposes to sell, if zoned, to the GULF OIL COMPANY which will spend approximately \$29,000 to put the site in shape to erect a filling station. Mr. Sneed said if this zoning were denied, he knew no way of subdividing it for residential uses, and there must be some special use which it would get its benefit from advertising on the Expressway--if this type of use is not obtainable, then the land will forever remain vacant. He said there were no filling stations on the east side from Ben White Boulevard to the Delwood Area. This particular location is well suited for a filling station. He discussed and listed similar strips of zoning which had been granted. He asked that in order to avoid the economic death of this property that has been vacant for so many years that the Council disregard the recommendation of the Planning Commission and grant the zoning. MR. M. D. GIBBONS had called in asking that the change of zoning be granted. The Director of Planning stated any development would require a severe gash in the hillside, and almost anything that happens regardless of zoning would be a problem. In acquiring the right-of-way, the City left this 100' strip rather than acquiring the entire tract. He stated in his opinion a filling station offered the most serious problem. He suggested this being the most beautiful entrance to any city in the Country that perhaps the City should acquire the land and preserve this entrance to the city for public use. Councilman White stated if that practice were started, the City would have to be buying land all over the city. Mr. Sneed listed other commercial zoning in the immediate area; he said this particular tract would have to be used by someone who was financially capable of developing it, due to the cost of site preparation estimated at \$150 a front foot; and that Mr. Osborne was presenting the argument based on aesthetic zoning, which type of zoning is not included in the present ordinance. The Mayor stated the Council would make a personal inspection of the area. Later

in the afternoon meeting the City Manager gave a review of the acquisition of the property needed for the Interregional Highway, and the reason this strip was left over, and the amount of severance damages paid. Finally, after more discussion, Councilman Shanks moved to zone the property as requested, "IR" Local Retail. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer  
Noes: Councilman Perry

The Mayor announced that the change had been granted to "IR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

The City Manager stated sometime ago a group from East Austin requested certain improvements to Rosewood Park and the Recreation Center--one request agreed upon was year round air conditioning; another request was for new toilet facilities for the Doris Miller Auditorium; and another concerned the ditch on the west side of the Park. He listed the estimated costs, and stated the specifications for airconditioning and heating were on the table in the Little Council Room, and he was ready to proceed with the advertising for bids. Councilman Shanks moved that the City Manager be instructed to advertise for bids for this work. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor asked in connection with the improvement of the ditch in the Rosewood area, if it could be included under the Urban Renewal provisions. The City Manager stated this could be explored; but it might delay the work for two or three years. The Mayor asked the Assistant City Manager to notify MR. ARTHUR DeWITTY that these improvements were being done.

The City Manager reviewed the discussion of renewing the lease with 7-Eleven Stores on Lamar and Koenig Lane, and the suggestion of \$275.00 rental. He read a letter from the 7-Eleven Stores, asking that this rental be adjusted to a figure of lesser amount, and requesting more than a five year lease so they could modernize their store. Finally, after discussion, the Mayor polled the Council members and they agreed the set rental was fair and reasonable, and the Mayor asked the City Manager to report to 7-Eleven Stores that the Council had considered their request, and it felt that \$275.00 was fair and reasonable.

MR. E. C. GUSTAFSON, Mobilized House Movers, Inc., appeared before the Council asking that housemovers be permitted to move the wrong way on one-way streets and pointed out their problems. The City Attorney gave his opinion stating one of the provisions of the code was that the person who is granted a permit shall comply with all lawful regulations and ordinances of the city and with all the terms and conditions of the permit, and one of the lawful ordinances is that they do not go the wrong way on a one-way street. He stated



with special reference to the Interregional Highway, the street that is the most troublesome to the house movers, the City, in addition to its ordinances, has a contract with the State Highway Department that it will not permit the law to be violated. Any change of regulations in the traffic on the highway would have to be first cleared with the Highway Department in each case. Mr. Gustafson stated if the one-way streets became more numerous the housemovers will be out of business. The Mayor stated the Council could not give permission to violate the law through a special permit. The City Attorney stated streets could be closed to traffic during construction, but this would not apply to the Interregional Highway. The Mayor stated the City would be laying itself liable if it were to say to go ahead and do something that would not be legal.

The City Manager stated the City would like to purchase about 20,000 tons of crushed stone from the Texas Crushed Stone on Balcones Trail, which will be closing down operations. The Director of Public Works stated the present price is 70¢ per ton, and the price obtainable now is \$.62. Also needed will be 4,000 tons of precoat at \$2.70 per ton. He recommended these purchases as part of it would be a stock pile and Mr. David Barrow, the purchaser of the property, had given permission to the City that it would not have to move its supply until May of 1964. Councilman Shanks moved that the purchase be authorized. (20,000 tons of road stone @ \$.62 net - \$12,400.00; 4,000 tons of precoat @ \$2.70 - \$10,800.00; Total-\$23,200.00) The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Council recessed until 2:00 P.M.

#### RECESSED MEETING

2:00 P.M.

At 2:00 P.M. the Council resumed its business.

MAYOR PALMER announced the names of the members of the Building Standards Commission:

MR. E. W. JACKSON, Chairman  
MR. THEO YOUNGBLOOD  
MR. JOE PERONNE  
MR. HUMBERTO CANTU  
MRS. JAMES LANCASTER  
MR. R. B. LEWIS

Exofficio members;  
The Building Inspector  
The Fire Marshal  
The Public Health Officer.

Councilman Shanks moved that the Board be appointed as listed. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Council noted with regret the resignation of MR. TOM PERKINS from the Town Lake Committee, and expressed appreciation for the wonderful contribution he had made while serving on the Committee.

Councilman Armstrong moved that MR. VIC MATHIAS, Chamber of Commerce, be appointed to serve on the Town Lake Study Committee. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager reported on a meeting with MR. NELSON PUETT, that an oral agreement had been reached, and on Monday, December 17th, he signed a contract by which the City would acquire the eleven acres. (Land for the extension of Hart Lane easterly, with additional land for grade separation)

The City Manager reported the City Attorney had a contract prepared for the acquisition of the Bullard property. (Property between Balcones Drive and the Missouri Pacific Railroad north of Northland Drive.) Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized and directed to accept, on behalf of the City of Austin, a warranty deed from Community Development Corp. conveying to the City of Austin that certain 19.779 acres of land out of the James P. Davis Survey No. 14 in Travis County, Texas and being part of that certain tract of land containing 25 acres, more or less, fully described by metes and bounds in warranty deed recorded in Book 1436, Pages 153, et seq., Deed Records of Travis County, Texas; and,

BE IT FURTHER RESOLVED:

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized and directed to execute, acknowledge, and deliver to Community Development Corp. that certain Deed of Trust and that certain Vendor's Lien Note exhibited to the City Council by the City Manager this day to secure said Community Development Corp. in the payment in full of the consideration for the conveyance to the City of Austin of fee simple title to said 19.779 acres of land according to the tenor and effect of said Vendor's Lien Note and Deed of Trust.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager stated the City Attorney had an arrangement with MR. H. W. BULL, et al, for the purchase of property. (270 acres on Walnut Creek) Councilman Shanks offered the following resolution and moved its adoption:

## (RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized and directed to execute and deliver to H. W. Bull, et al a contract by which the City of Austin agrees to buy and H. W. Bull, et al agree to sell approximately 270 acres of land out of the James Burleson League in Travis County, Texas and upon approval of title and delivery of their warranty deed to the City of Austin to pay the said H. W. Bull, et al the consideration prescribed in said Contract of Sale exhibited to the City Council by the City Manager.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

The City Manager stated he had an inquiry from the Development Board of the Presbyterian Church concerning their property on Balcones Drive, on which property a part of the Missouri Pacific Boulevard was proposed to be constructed. He showed a preliminary design by Mr. W. C. Cotton. He said the Church preferred to keep its location, and did not want to sell it out-right or exchange it for other property in the area. The City Manager stated quite a study had been made to try to rearrange the road to leave the Church tract clear, and to make an exchange of property with the Church. He described the plan in detail, and said two-thirds of the Church property could be retained under this design; but he pointed out some of the problems in the rearrangement of the present plan as to financing. Councilman Shanks moved that the City Manager be instructed to notify the Presbyterian Church that the proposed plans, as they look now, will call for the usage of practically all of the Church property, and that the Council considers it advisable to start negotiations for the purchase of this property. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

Councilman Shanks moved that the City Manager be authorized to start negotiations for the Jim Motheral property. (Missouri-Pacific Boulevard right-of-way) The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

The City Manager reported that Westover Underpass was under construction, and final plans on the Windsor Road underpass were being revised and would be ready to submit to the railroad for approval shortly. He said he anticipated within two months the plans should be ready to be advertised for bids; and the day Westover is opened, this contract could be started on Windsor. He stated the preliminary plans for West 35th Street were approved, and the Engineer, Mr. Cotton, had been authorized to do the final design.

Councilman Armstrong suggested with a Two Million dollar estimate for right of way for the Missouri Pacific Boulevard, that consideration be made of selling some of the city property and use those proceeds for this right of way. The City Manager stated several surveys had been made on property that might be sold; but each time, it was found some little piece of property that might be considered for sale, would have a future use. The Mayor stated caution should always be taken in selling city-owned property; however, it might be well to survey the matter again for a new look into it.

At the request of the J. R. REED MUSIC COMPANY, Councilman Shanks moved that the City Manager be authorized to work out the necessary details with J. R. REED MUSIC COMPANY for planter boxes conforming to the same provisions required in the cases of Scarbroughs and others. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilman Armstrong

Councilman Shanks stated he would like to publicly invite all of the merchants to beautify their properties down town with this same type of treatment along Congress Avenue, so that it would have a "Park Avenue" effect.

MAYOR PALMER made a report on the meeting with the Boards and Administrators of all of the Hospitals in the City, held last Thursday beginning at 7:00 P.M., stating representatives of each Hospital were of the opinion that it was necessary and would be most helpful to them as well as the City to have an expert make this survey of the hospital needs of the City. The representatives were unanimous in saying the City should pay for this survey. The Mayor stated if the Hospitals did not come in on the financing, they should give whomever makes the survey full cooperation.

There being no further business, Councilman Perry moved that the Council adjourn. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

The Council adjourned at 3:45 P.M., subject to the call of the Mayor.

APPROVED

*Wm. E. Palmer*

Mayor

ATTEST:

*Elmer Hensley*

City Clerk